IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7550 of 2005

Between:

Mandapapu Venkata Subbamma W/o Venkata Subbaiah
Shankarapuram Gram Panchayat Mundlamuru Mandal,

Prakasam District

..... PETITIONER

AND

1 The District Collector, Prakasam District, (Panchayat Wing) Ongole
2 The District Panchayat Officer, Ongole
3 The Mandal Parishad Development Officer, Mundlamuru Mandal,

Prakasam District
4 Sri M.P. Venkateswarlu Assistant Panchayat Secretary,

Shankarapuram Grampanchayat,
Mundlamur Mandal, Prakasam District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ order or direction more particularly one in the nature of Writ of Mandamus declare the action of the official respondents in posting the 4th respondent as i/c panchayat Secretary on temporary basis in respect of shankarapuram Grampanchayat as illegal, arbitrary and against the public interest and further set a side the proceedings Rc. No. D/45/2005 dated 17-03-2005 issued by the 3rd Respondent and further direct the 1st respondent and 2nd respondent to post a regular panchayat secretary in respect of Shankarapuram Grampanchayat in public interest in the interest of justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.M.RATNA REDDY

Counsel for the Respondents 1 to 3: GP FOR PANCHAYAT RAJ & RURAL

DEV.

The Court, at the stage of admission, made the following :

ORDER:

This writ petition is filed questioning the order dated 17.03.2005 passed by the third respondent- Mandal Parishad Development Officer, Mundlamuru Mandal, Prakasam District

whereunder the fourth respondent, who is the Assistant Panchayat Secretary, Mundlamur Mandal, Prakasam District was placed as in-charge panchayat Secretary to Shankarapuram Gram Panchayat temporarily.

On a perusal of the impugned order it is clear that the issue involved relates to the service matter and the appropriate remedy for the petitioner is to seek redressal before the Andhra Pradesh Administrative Tribunal. Therefore, this writ petition, under Article 226 of the Constitution of India, is not maintainable.

Accordingly, granting leave and liberty to the petitioner to seek appropriate remedy before the Andhra Pradesh Administrative Tribunal, the writ petition is dismissed. No costs.

_____

06.04.2005

sh

To

1 The District Collector, Prakasam District, (Panchayat Wing) Ongole.
2 The District Panchayat Officer, Ongole
3 The Mandal Parishad Development Officer, Mundlamuru Mandal, Prakasam District
4 Two CCs to the G.P for Panchayat Raj and Rural Development, High Court of A.P., Hyderabad(O.U.T).

5 2 CD copies